

UNITED STATES DISTRICT COURT
OF MASSACHUSETTS No. C.A. 05-114 7-WGY

STANLEY DONALD, PLAINTIFF

Vs.

JEFFREY HALL, DEFENDANT.

PLNFF'S. MOTION TO VACATE ORDER
AND WAIVE PAYMENT OF FEE

The PLAINTIFF, STANLEY DONALD, PRO-SE PRISONER, MOVES this Court to VACATE its ORDER to COLLECT Filing FEE, AND MOVES FOR WAIVER OF Filing FEE.

AS REASONS HEREFOR.

1.) ON August 23, 2005, this Court terminated this CASE without ASSESSING the Filing FEE. 1.)

2.) ON September 8, 2005, AFTER TERMINATION the Court ORDERED FULL PAYMENT OF Filing FEE IN PARTIAL INSTALLMENTS which the PLAINTIFF'S NOW UNABLE to pay due to his POVERTY.

(*1) Note: This Action has been entered in State Superior Court for the PLAINTIFF'S indigency.

- 3.) The plaintiff is Fully indigent, AND has ONLY \$28, twenty-eight dollars in his PRISONER'S ACCOUNT, PURSUANT to M.G.L.A.c. 261, §§ 7A-G, AND is UNABLE to pay the Filing FEE which WOULD deprive him of the NECESSITIES of SOAP, RAZORS, toothpaste, AND postage stamp, AND MEDICAL ASPIRINS which is purchased in the prison Canteen.
- 4.) The plaintiff has NO income whatsoever AND does NOT have ANYWAY to obtain Future Funds to pay the Filing FEE, AND wishes For the Court to RETURN the \$28 to his PRISONER'S ACCOUNT so he may purchase the NECESSITIES FOR SURVIVAL.
- 5.) The plaintiff's indigency is the SAME, verity STANDARD UNDER 42 U.S.C. § 2996 F(2)(A) AND (B).
- 6.) THEREFORE, the plaintiff REQUESTS the ORDER to pay Filing FEE be VACATED, AND Filing FEE be WAIVED IN FULL by this Court.

Dated: September 12/2005

Respectfully Submitted
 By Plaintiff Himself,
Stanley L. Donald,
 STANLEY L. DONALD, p.
 S.B.C.C. #W66438
 P.O. Box 8000
 Shirley, Mass 01464

UNITED STATES DISTRICT COURT
OF MASSACHUSETTS No. C.A. 05-11417 NGY

Stanley Donald, plaintiff

Vs.

Jeffrey Hall, Defendant.

PLNF'S. AFFIDAVIT TO WAIVE PAYMENT OF FEE

BEING duly SWORN, I, Stanley Donald, pro-
PLAINTIFF deposes and says the Following:

- 1.) ON September 8, 2005, this Court ORDERE the
TREASURER OF S.B.C.C. to WITHDRAW ALL funds
\$28, twenty-eight dollars FROM MY INMATE
ACCOUNT, which has deprived me of NECESSITIES.
- 2.) The \$28 WAS ALL the FUNDS that I had to
buy NECESSITIES FOR SURVIVAL.
- 3.) The PRISON STAFF WILL NOT give me a job, AN my
FAMILY AND FRIENDS ARE UNABLE to SEND Funds.
- 4.) THEREFORE, I PLEAD with this Court to WAIVE
Filing FEE, AND RETURN the SOLE FUNDS ~~FROM~~
WITHDRAWN FROM MY INMATE ACCOUNT to buy MY
NECESSITIES. Signed, under the pain and penalties of J. JURY.
Dated: September 12/2005 Stanley L. Donald
STANLEY L. DONALD (PLNF)

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UNITED STATES District
~~COMMONWEALTH OF MASSACHUSETTS~~

Court Massachusetts

Case number: 05-1141 -WGY

Civil Action

Case Name:

STANLEY DONALD, Plaintiff(s)

v.

JEFFREY M. HALL, Defendant(s)

**ORDER TO COMMISSIONER OF CORRECTION OR COUNTY SHERIFF TO
PROVIDE CERTAIN INFORMATION REGARDING INMATE ACCOUNT RELATI
TO PLAINTIFF'S MOTION TO WAIVE FILING FEE AND PROCEED IN FORM
PAUPERIS**

The plaintiff in the above-captioned action has filed a motion to waive the filing fee and court costs (normal) and to proceed in forma pauperis.

Pursuant to G. L. c. c.261, § 29, the correctional facility where the prisoner is currently incarcerated shall file a document showing the current status of the plaintiff's canteen account and savings account, if any, and the account activity for the past six (6) months. The document shall be filed within thirty (30) days of the date of this order.

By the court

Clerk or Assistant Clerk